

AMOUNT \$ 1,000.00 (4)
 SUMMONS ISSUED Y-3
 LOCAL RULE 4.1 _____
 WAIVER FORM _____
 MOF ISSUED _____
 EMPTY CLK. 17
 DATE 7-12-05

UNITED STATES DISTRICT COURT
 DISTRICT OF MASSACHUSETTS
 EASTERN DIVISION

MOTOWN RECORD COMPANY, L.P., a
 California limited partnership; SONY BMG
 MUSIC ENTERTAINMENT, a Delaware
 general partnership; ARISTA RECORDS
 LLC, a Delaware limited liability company;
 ELEKTRA ENTERTAINMENT GROUP
 INC., a Delaware corporation; VIRGIN
 RECORDS AMERICA, INC., a California
 corporation; ATLANTIC RECORDING
 CORPORATION, a Delaware corporation;
 UMG RECORDINGS, INC., a Delaware
 corporation; INTERSCOPE RECORDS, a
 California general partnership; BMG MUSIC,
 a New York general partnership; WARNER
 BROS. RECORDS INC., a Delaware
 corporation; and CAPITOL RECORDS, INC.,
 a Delaware corporation,

Plaintiffs,

v.

DOES 1 - 22,

Defendants.

CIVIL ACTION No.

Receipt #
 63512

05 - 10732 NG

MAGISTRATE JUDGE Dein

COMPLAINT FOR COPYRIGHT INFRINGEMENT

Plaintiffs assert the following claims against Defendants.

JURISDICTION AND VENUE

1. This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C. § 101 et seq.).

2. This Court has jurisdiction under 17 U.S.C. § 101 et seq.; 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338(a) (copyright).

3. Venue in this District is proper under 28 U.S.C. § 1391(b) and/or 28 U.S.C. § 1400(a). Although the true identity of each Defendant is unknown to Plaintiffs at this time, on information and belief, each Defendant may be found in this District and/or a substantial part of the acts of infringement complained of herein occurred in this District. On information and belief, personal jurisdiction in this District is proper because each Defendant, without consent or permission of the copyright owner, disseminated over the Internet copyrighted works owned and/or controlled by the Plaintiffs. On information and belief, such illegal dissemination occurred in every jurisdiction in the United States, including this one. In addition, each Defendant uses an online service provider found in this District to access the Internet, which facilitated Defendants' infringing activities.

PARTIES

4. Plaintiff Motown Record Company, L.P. is a limited partnership duly organized and existing under the laws of the State of California, with its principal place of business in the State of New York.

5. Plaintiff Sony BMG Music Entertainment is a Delaware general partnership, with its principal place of business in the State of New York.

6. Plaintiff Arista Records LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

7. Plaintiff Elektra Entertainment Group Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

8. Plaintiff Virgin Records America, Inc. is a corporation duly organized and existing under the laws of the State of California, with its principal place of business in the State of New York.

9. Plaintiff Atlantic Recording Corporation is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

10. Plaintiff UMG Recordings, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

11. Plaintiff Interscope Records is a California general partnership, with its principal place of business in the State of California.

12. Plaintiff BMG Music is a general partnership duly organized and existing under the laws of the State of New York, with its principal place of business in the State of New York.

13. Plaintiff Warner Bros. Records Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

14. Plaintiff Capitol Records, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

15. The true names and capacities of the Defendants are unknown to Plaintiffs at this time. Each Defendant is known to Plaintiffs only by the Internet Protocol ("IP") address assigned to that Defendant by his or her online service provider on the date and time at which the infringing activity of each Defendant was observed. See Exhibit A. Plaintiffs believe that information obtained in discovery will lead to the identification of each Defendant's true name.

COUNT I

INFRINGEMENT OF COPYRIGHTS

16. Plaintiffs incorporate herein by this reference each and every allegation contained in each paragraph above.

17. Plaintiffs are, and at all relevant times have been, the copyright owners or licensees of exclusive rights under United States copyright law with respect to certain

copyrighted sound recordings, including, but not limited to, all of the copyrighted sound recordings on Exhibit A to this Complaint (collectively, these copyrighted sound recordings shall be identified as the “Copyrighted Recordings”). Each of the Copyrighted Recordings is the subject of a valid Certificate of Copyright Registration issued by the Register of Copyrights to each Plaintiff as specified on each page of Exhibit A.

18. Among the exclusive rights granted to each Plaintiff under the Copyright Act are the exclusive rights to reproduce the Copyrighted Recordings and to distribute the Copyrighted Recordings to the public.

19. Plaintiffs are informed and believe that each Defendant, without the permission or consent of Plaintiffs, has used, and continues to use, an online media distribution system to download, distribute to the public, and/or make available for distribution to others, certain of the Copyrighted Recordings. Exhibit A identifies on a Defendant-by-Defendant basis (one Defendant per page) a list of copyrighted recordings that each Defendant has, without the permission or consent of Plaintiffs, downloaded, distributed to the public, and/or made available for distribution to others. In doing so, each Defendant has violated Plaintiffs' exclusive rights of reproduction and distribution. Each Defendant's actions constitute infringement of Plaintiffs' copyrights and/or exclusive rights under copyright. (In addition to the sound recordings listed for each Defendant on Exhibit A, Plaintiffs are informed and believe that each Defendant has, without the permission or consent of Plaintiffs, downloaded, distributed to the public, and/or made available for distribution to others additional sound recordings owned by or exclusively licensed to the Plaintiffs or Plaintiffs' affiliate record labels.)

20. Plaintiffs are informed and believe that the foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of Plaintiffs.

21. As a result of each Defendant's infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to statutory damages pursuant to 17 U.S.C. § 504(c) against each Defendant for each infringement by the Defendant of each copyrighted recording. Plaintiffs further are entitled to their attorneys' fees and costs pursuant to 17 U.S.C. § 505.

22. The conduct of each Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiffs are entitled to injunctive relief prohibiting each Defendant from further infringing Plaintiffs' copyrights, and ordering that each Defendant destroy all copies of copyrighted sound recordings made in violation of Plaintiffs' exclusive rights.

WHEREFORE, Plaintiffs pray for judgment against each Defendant as follows:

1. For an injunction providing:

"Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the Copyrighted Recordings and any sound recording, whether now in existence or later created, that is owned or controlled by

Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control."

2. For statutory damages for each infringement of each Copyrighted Recording pursuant to 17 U.S.C. § 504.

3. For Plaintiffs' costs in this action.

4. For Plaintiffs' reasonable attorneys' fees incurred herein.


5. For such other and further relief as the Court may deem just and proper.

MOTOWN RECORD COMPANY, L.P.;
SONY BMG MUSIC ENTERTAINMENT;
ARISTA RECORDS LLC; ELEKTRA
ENTERTAINMENT GROUP INC.; VIRGIN
RECORDS AMERICA, INC.; ATLANTIC
RECORDING CORP.; UMG RECORDINGS,
INC.; INTERSCOPE RECORDS; BMG
MUSIC; WARNER BROS. RECORDS INC.;
and CAPITOL RECORDS, INC.

By their attorneys,

DATED: 4.13.05

By:


Colin J. Zick (BBO No. 556538)
Gabriel M. Helmer (BBO No. 652640)
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210-2600
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Of Counsel:

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JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

MOTOWN RECORD COMPANY, L.P.; SONY BMG MUSIC ENTERTAINMENT;
ARISTA RECORDS LLC; ELEKTRA ENTERTAINMENT GROUP INC.; VIRGIN
RECORDS AMERICA, INC.; ATLANTIC RECORDING CORP.; UMG RECORDINGS,
INC.; INTERSCOPE RECORDS; BMG MUSIC; WARNER BROS. RECORDS INC.;
and CAPITOL RECORDS, INC.

(b) County of Residence of First Listed Plaintiff NEW YORK, NEW YORK
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
COLIN J. ZICK (BBO No. 556538) Phone: (617) 832-1000
GABRIEL M. HELMER (BBO No. 652640)
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210-2600

DEFENDANTS**DOES 1 - 22**

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION
OF THE LAND INVOLVED.

Attorneys (If Known)

05 - 10732 NG**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|-----------------------------------------|----------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities-Employment <input type="checkbox"/> 446 Amer. w/Disabilities-Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW 405(g) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW 405(g) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 District Judge from Appeal to Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)

17 U.S.C. § 501 et seq.Brief description of the cause: copyright infringement**VII. REQUESTED IN COMPLAINT**

- ☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 ☐ DEMAND \$ ☐ CHECK YES only if demanded in complaint
- Statutory damages; injunction **JURY DEMAND:** ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions)

SEE ATTACHMENT A

JUDGE _____ DOCKET NUMBER _____

DATE

4.13.05

SIGNATURE OF ATTORNEY OF RECORD

Gabriel M. Helmer

FOR OFFICE USE ONLY

RECEIPT# _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

05 10732 NG

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

ATTACHMENT A

This lawsuit is related to the following cases pending or closed within the past two (2) years in the United States District Court for the District of Massachusetts, Eastern Division:

Capitol Records, Inc., et al. v. Alaujan, Lead Docket No. 03-11661 NG

London-Sire Records Inc., et al. v. Does, Docket No. 04-12434 NG

Interscope Records, et al. v. Does, Docket No. 04-12435 NG

Maverick Recording Company, et al. v. Doe, Docket No. 04-12436 NG

Atlantic Recording Corp., et al. v. Does, Docket No. 04-12437 NG

Capitol Records, Inc., et al. v. Doe, Docket No. 04-12438 NG

Loud Records, LLC, et al. v. Does, Docket No. 04-12439 NG

BMG Music, et al. v. Does, Docket No. 05-10168 NG

Interscope Records, et al. v. Does, Docket No. 05-10160 NG

Motown Record Company, L.P., et al. v. Does, Docket No. 05-10159 NG

UMG Recordings, Inc., et al. v. Does, Docket No. 05-10169 NG

Virgin Records America, Inc., et al. v. Dubrock, Docket No. 05-10158 NG

Capitol Records Inc., et al. v. Does, Docket No. 05CV10565 NG

Virgin Records America, Inc. et al. v. Does, Docket No. 05CV10566 NG

Sony BMG Music Entertainment et al. v. Doe, Docket No. 05CV10567 NG

Interscope Records et al. v. Doe, Docket No. 05CV10569 NG

Atlantic Recording Corp. et al. v. Does, Docket No. 05CV10568 NG

This lawsuit is related to the following cases pending or closed within the past two (2) years in the United States District Court for the District of Massachusetts, Central Division:

Warner Bros. Records Inc., et al. v. Duteau, Docket No. 04-40165 FDS

Sony Music Entertainment Inc., et al. v. D'Mato, Docket No. 04-40166 FDS

Capitol Records, Inc, et al. v. Fitzpatrick, Docket No. 04-40168 FDS

Arista Records Inc., et al. v. Doe, Docket No. 04-40240 FDS

Maverick Recording Company, et al. v. Hagerty, Docket No. 04-40167 FDS

London-Sire Records Inc., et al. v. Totolos, Docket No. 05-40016 FDS

BMG Music et al. v. Doe, Docket No. 05-40055 FDS

This lawsuit is also related to the following cases pending or closed within the past two (2) years in the United States District Court for the District of Massachusetts, Western Division:

Motown Record Company, L.P., et al. v. Adams, Docket No. 04-30134 MAP

Arista Records Inc., et al. v. Skowyra, Docket No. 04-30135 MAP

Loud Records, LLC, et al. v. Thurston, Docket No. 04-30136 MAP

Arista Records Inc., et al. v. Aberdale, Docket No. 04-30164 MAP

Virgin Records America, Inc., et al. v. Doe, Docket No. 04-30223 KPN

Sony BMG Music Entertainment, et al. v. Doe, Docket No. 04-30224 MAP

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY) _____

MOTOWN RECORD CO. v. DOES 1 - 22

2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET.
(SEE LOCAL RULE 40.1(A)(1)).

____ I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.

X II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950. *Also complete AO 120 or AO 121 for patent, trademark or copyright cases

____ III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.

____ IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.

____ V. 150, 152, 153.

05-10732 NG

3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(G)). IF MORE THAN ONE PRIOR RELATED CASE HAS BEEN FILED IN THIS DISTRICT PLEASE INDICATE THE TITLE AND NUMBER OF THE FIRST FILED CASE IN THIS COURT.

SEE ATTACHMENT A

4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT?

YES NO ☒

5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? (SEE 28 USC §2403)

YES ☐ NO ☒

IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY?

YES ☐ NO ☒

6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC §2284?

YES ☐ NO ☒

7. DO ALL OF THE PARTIES IN THIS ACTION, EXCLUDING GOVERNMENTAL AGENCIES OF THE UNITED STATES AND THE COMMONWEALTH OF MASSACHUSETTS ("GOVERNMENTAL AGENCIES"), RESIDING IN MASSACHUSETTS RESIDE IN THE SAME DIVISION? - (SEE LOCAL RULE 40.1(D)).

YES ☒ NO ☐

A. IF YES, IN WHICH DIVISION DO ALL OF THE NON-GOVERNMENTAL PARTIES RESIDE?

EASTERN DIVISION ☒ CENTRAL DIVISION ☐ WESTERN DIVISION ☐

B. IF NO, IN WHICH DIVISION DO THE MAJORITY OF THE PLAINTIFFS OR THE ONLY PARTIES, EXCLUDING GOVERNMENTAL AGENCIES, RESIDING IN MASSACHUSETTS RESIDE?

EASTERN DIVISION ☐ CENTRAL DIVISION ☐ WESTERN DIVISION ☐

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME COLIN J. ZICK (BBO No. 556538), GABRIEL M. HELMER (BBO No. 652640)

ADDRESS FOLEY HOAG LLP, 155 Seaport Boulevard, Boston, MA 02210-2600

TELEPHONE NO. (617) 832-1000/fax (617) 832-7000

(Cover Sheet local.wpd-11/27/00)

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

ATTACHMENT A

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Interscope Records, et al. v. Does, Docket No. 04-12435 NG

Maverick Recording Company, et al. v. Doe, Docket No. 04-12436 NG

Atlantic Recording Corp., et al. v. Does, Docket No. 04-12437 NG

Capitol Records, Inc., et al. v. Doe, Docket No. 04-12438 NG

Loud Records, LLC, et al. v. Does, Docket No. 04-12439 NG

BMG Music, et al. v. Does, Docket No. 05-10168 NG

Interscope Records, et al. v. Does, Docket No. 05-10160 NG

Motown Record Company, L.P., et al. v. Does, Docket No. 05-10159 NG

UMG Recordings, Inc., et al. v. Does, Docket No. 05-10169 NG

Virgin Records America, Inc., et al. v. Dubrock, Docket No. 05-10158 NG

Capitol Records Inc., et al. v. Does, Docket No. 05CV10565 NG

Virgin Records America, Inc. et al. v. Does, Docket No. 05CV10566 NG

Sony BMG Music Entertainment et al. v. Doe, Docket No. 05CV10567 NG

Interscope Records et al. v. Doe, Docket No. 05CV10569 NG

Atlantic Recording Corp. et al. v. Does, Docket No. 05CV10568 NG

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Sony Music Entertainment Inc., et al. v. D'Mato, Docket No. 04-40166 FDS

Capitol Records, Inc., et al. v. Fitzpatrick, Docket No. 04-40168 FDS

Arista Records Inc., et al. v. Doe, Docket No. 04-40240 FDS

Maverick Recording Company, et al. v. Hagerty, Docket No. 04-40167 FDS

London-Sire Records Inc., et al. v. Totolos, Docket No. 05-40016 FDS

BMG Music et al. v. Doe, Docket No. 05-40055 FDS

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Arista Records Inc., et al. v. Skowrya, Docket No. 04-30135 MAP

Loud Records, LLC, et al. v. Thurston, Docket No. 04-30136 MAP

Arista Records Inc., et al. v. Aberdale, Docket No. 04-30164 MAP

Virgin Records America, Inc., et al. v. Doe, Docket No. 04-30223 KPN

Sony BMG Music Entertainment, et al. v. Doe, Docket No. 04-30224 MAP

Doe #1 (18.96.2.93 2005-03-28 16:52:59 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
UMG Recordings, Inc.	U2	Wilde Honey	All That You Can't Leave Behind	294-631
Sony BMG Music Entertainment	Dixie Chicks	Heartbreak Town	Fly	275-086
UMG Recordings, Inc.	Nirvana	Dumb	In Utero	172-276

Doe #2 (18.245.5.25 2005-03-05 16:28:03 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Capitol Records, Inc.	Norah Jones	Lonestar	Come Away With Me	320-120
Warner Bros. Records Inc.	Green Day	Longview	Dookie	185-457
Interscope Records	No Doubt	Happy Now?	Tragic Kingdom	206-724

Doe #3 (18.244.6.45 2005-03-08 05:05:02 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
UMG Recordings, Inc.	Beck	Peaches & Cream	Midnite Vultures	276-479
Sony BMG Music Entertainment	Incubus	Echo	Morning View	306-181
Sony BMG Music Entertainment	Pearl Jam	Why Go	Ten	137-787

Doe #4 (18.242.5.86 2005-03-09 11:03:52 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Virgin Records America, Inc.	Smashing Pumpkins	Thirty-Three	Mellon Collie and the Infinite Sadness	183-904
UMG Recordings, Inc.	Guns N Roses	Welcome to the Jungle	Appetite for Destruction	85-358
Atlantic Recording Corporation	Sugar Ray	Every Morning	14:59	262-149
Warner Bros. Records Inc.	Linkin Park	Pushing Me Away	Hybrid Theory	288-402

Doe #5 (18.244.5.224 2005-03-18 22:30:45 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Sony BMG Music Entertainment	Mariah Carey	Against All Odds	Rainbow	276-595
Virgin Records America, Inc.	Spice Girls	Too Much	Spiceworld	261-523
Sony BMG Music Entertainment	Celine Dion	The Power of Love	The Colour of My Love	191-558
Arista Records LLC	Avril Lavigne	Unwanted	Let Go	312-786
Arista Records LLC	Avril Lavigne	Things I'll Never Say	Let Go	312-786

Doe #6 (18.245.5.138 2005-03-17 18:11:04 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
UMG Recordings, Inc.	3 Doors Down	Down Poison	The Better Life	277-407
Sony BMG Music Entertainment	Wyclef Jean	Gone Till November	Wyclef Jean Presents The Carnival Featuring Refugee Allstars	251-493
Virgin Records America, Inc.	Enigma	Odyssey of the Mind	Le Roi Est Mort, Vive Le Roi!	229-049
Motown Record Company, L.P.	Boyz II Men	Song For Mama	Evolution	240-088

Doe #7 (18.245.5.14 2005-03-19 07:45:56 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
UMG Recordings, Inc.	U2	Stuck In A Moment You Can't Get Out Of	All That You Can't Leave Behind	294-631
BMG Music	Jim Brickman	Love Of My Life	My Romance: An Evening With Jim Brickman	214-659
Elektra Entertainment Group Inc.	Eagles	Hotel California	Hotel California	N38950
Virgin Records America, Inc.	Spice Girls	Spice Up Your Life	Spiceworld	261-523

Doe #8 (18.239.3.111 2005-03-06 10:36:37 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Capitol Records, Inc.	Thomas Dolby	She Blinded Me With Science	The Golden Age Of Wireless	46-842
Warner Bros. Records Inc.	A-Ha	Take On Me	Hunting High and Low	63-603
BMG Music	Lou Bega	Mambo No. 5 (A Little Bit Of...)	A Little Bit Of Mambo	286-646
Virgin Records America, Inc.	A Perfect Circle	Renholder	Mer De Noms	281-642
UMG Recordings, Inc.	U2	New Year's Day	War	42-944

Doe #9 (18.245.5.67 2005-03-22 04:54:27 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Capitol Records, Inc.	Everclear	Rock Star	Songs from an American Movie - Vol. 2, Good Time for a Bad Attitude	295-621
Atlantic Recording Corporation	Jewel	Do You	Spirit	261-953
Virgin Records America, Inc.	Enigma	Smell Of Desire	The Screen Behind The Mirror	277-091
Virgin Records America, Inc.	Smashing Pumpkins	We Only Come Out at Night	Mellon Collie and the Infinite Sadness	183-904
UMG Recordings, Inc.	Ludacris	Coming to America	Word of Mouf	304-605
Interscope Records	No Doubt	Happy Now?	Tragic Kingdom	206-724

Doe #10 (18.245.6.165 2005-03-06 15:24:45 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Arista Records LLC	LFO	West Side Story	LFO	306-981
UMG Recordings, Inc.	Guns N Roses	Paradise City	Appetite for Destruction	85-358
Sony BMG Music Entertainment	Marvin Gaye	Sexual Healing	Midnight Love	41-568
BMG Music	Foo Fighters	Learn To Fly	There Is Nothing Left To Lose	285-034

Exhibit A

Doe #11 (18.247.2.104 2005-03-17 19:57:34 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
Virgin Records America, Inc.	Smashing Pumpkins	With Every Light	Machina/The Machine of God	278-424
UMG Recordings, Inc.	U2	Sunday Bloody Sunday	War	42-944
Virgin Records America, Inc.	Smashing Pumpkins	We Only Come Out at Night	Mellon Collie and the Infinite Sadness	183-904
Virgin Records America, Inc.	Smashing Pumpkins	To Sheila	Adore	261-479

Doe #12 (18.247.5.40 2005-03-28 16:55:21 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
BMG Music	O-Town	All Or Nothing	O-Town	294-872
UMG Recordings, Inc.	Weezer	Undone (The Sweater Song)	Weezer	187-644
Sony BMG Music Entertainment	Fiona Apple	Criminal	Tidal	227-923
UMG Recordings, Inc.	U2	I Still Haven't Found What I'm Looking For	The Joshua Tree	78-949

Doe #13 (18.248.5.197 2005-03-17 15:24:24 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Capitol Records, Inc.	Radiohead	In Limbo	Kid A	289-381
Warner Bros. Records Inc.	Red Hot Chili Peppers	Give It Away	Blood Sugar Sex Magik	135-276
Capitol Records, Inc.	Pink Floyd	Nobody Home	The Wall	14-787
Warner Bros. Records Inc.	Red Hot Chili Peppers	Parallel Universe	Californication	174-922

Exhibit A

Doe #14 (18.248.6.7 2005-03-29 03:09:34 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Virgin Records America, Inc.	UB40	Kingston Town	Labour Of Love II	112-173
Elektra Entertainment Group Inc.	Pantera	Death Rattle	Reinventing the Steel	267-228
Interscope Records	Limp Bizkit	Break Stuff	Significant Other	279-827
UMG Recordings, Inc.	Bryan Adams	Please Forgive Me	So Far So Good	206-509

Doe #15 (18.251.5.223 2005-03-18 22:41:01 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Sony BMG Music Entertainment	Michael Jackson	Remember The Time	Dangerous	178-165
UMG Recordings, Inc.	U2	Sunday Bloody Sunday	War	42-944
UMG Recordings, Inc.	Blink-182	Waggy	Dude Ranch	243-969

Doe #16 (18.252.3.39 2005-03-06 09:36:06 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Sony BMG Music Entertainment	Bonnie Tyler	Total Eclipse of the Heart	Faster than the Speed of Night	50-641
Capitol Records, Inc.	Pink Floyd	Comfortably Numb	The Wall	14-787
Sony BMG Music Entertainment	Pearl Jam	Garden	Ten	137-787
Interscope Records	Wallflowers	Hand Me Down	Breach	214-646
UMG Recordings, Inc.	U2	Stuck In A Moment You Can't Get Out Of	All That You Can't Leave Behind	294-631

Doe #17 (18.252.5.204 2005-03-26 19:48:35 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
UMG Recordings, Inc.	Nirvana	All Apologies	In Utero	172-276
Capitol Records, Inc.	Pink Floyd	Comfortably Numb	The Wall	14-787
UMG Recordings, Inc.	Sublime	Slow Ride	Second Hand Smoke	246-011
UMG Recordings, Inc.	Nirvana	Serve The Servants	In Utero	172-276
UMG Recordings, Inc.	Sublime	Superstar Punani	Second Hand Smoke	246-011

Doe #18 (18.96.0.112 2005-03-01 07:21:21 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Arista Records LLC	LFO	Can't Have You	LFO	306-981
UMG Recordings, Inc.	Guns N Roses	November Rain	Use Your Illusion I	134-647
Sony BMG Music Entertainment	Pearl Jam	Betterman	Vitalogy	206-558
Interscope Records	Wallflowers	Mourning Train	Breach	214-646
Virgin Records America, Inc.	Enigma	Child in Us	Le Roi Est Mort, Vive Le Roi!	229-049

Doe #19 (18.100.0.87 2005-03-22 21:23:32 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
UMG Recordings, Inc.	Bryan Adams	Please Forgive Me	So Far So Good	206-509
Sony BMG Music Entertainment	Michael Jackson	Smooth Criminal	Bad	84-256
Sony BMG Music Entertainment	Bruce Springsteen	Brilliant Disguise	Tunnel of Love	87-116
Sony BMG Music Entertainment	Michael Jackson	Rock With You	Off The Wall	11-120
Sony BMG Music Entertainment	Bruce Springsteen	Glory Days	Born In The U.S.A.	55-647

Doe #20 (18.96.5.150 2005-03-15 03:17:11 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Interscope Records	Wallflowers	Sleepwalker	Breach	214-646
Arista Records LLC	LFO	Girl on TV	LFO	306-981
Virgin Records America, Inc.	Enigma	Child in Us	Le Roi Est Mort, Vive Le Roi!	229-049
Interscope Records	Wallflowers	Mourning Train	Breach	214-646

Doe #21 (18.96.6.158 2005-03-16 15:28:05 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
Virgin Records America, Inc.	Smashing Pumpkins	Everlasting Gaze	Machina/The Machine of God	278-424
Capitol Records, Inc.	Red Hot Chili Peppers	Green Heaven	The Red Hot Chili Peppers	56-249
Warner Bros. Records Inc.	Red Hot Chili Peppers	Get On Top	Californication	174-922
Warner Bros. Records Inc.	Red Hot Chili Peppers	The Righteous & the Wicked	Blood Sugar Sex Magik	135-276
Arista Records LLC	Usher	Interlude I	Usher	200-154

Doe #22 (18.96.6.205 2005-03-27 09:23:39 (EST))

COPYRIGHT OWNER	ARTIST	RECORDING TITLE	ALBUM TITLE	SR#
UMG Recordings, Inc.	Elton John	Someone Saved My Life Tonight	Captain Fantastic	N26203
BMG Music	Busta Rhymes	Break Ya Neck	Genesis	312-547
BMG Music	Lit	Miserable	A Place in the Sun	264-272
Capitol Records, Inc.	Pink Floyd	Mother	The Wall	14-787